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# DISTRICT OF COLUMBIA + + + + + ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

### IN THE MATTER OF:

Top Shelf, LLC t/a
Penn Quarter Sports Tavern Protest
639 Indiana Avenue, NW Hearing
Retailer CT - ANC-2C (Status)
License No. 76039
Case #14-PRO-00011

(Termination of Settlement Agreement)

## April 23, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

### PRESENT:

RUTHANNE MILLER, Chairperson DONALD BROOKS, Member HECTOR RODRIGUEZ, Member

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1	P-R-O-C-E-E-D-I-N-G-S
2	(9:51 a.m.)
3	CHAIRPERSON MILLER: The next case
4	is Case No. 14-PRO-00011, Penn Quarter Sports
5	Tavern located at 639 Indiana Avenue, N.W.,
6	License No. 76039. It's a termination of a
7	settlement agreement.
8	Okay. When you are ready, if you
9	would introduce yourselves for the record,
10	please?
11	MR. BRAND: Good morning. Michael
12	Brand, owner of Penn Quarter.
13	CHAIRPERSON MILLER: Okay.
14	MR. SCHERR: John Scherr, General
15	Manager at Penn Quarter.
16	CHAIRPERSON MILLER: Great. Okay.
17	MR. CARDELLA: Dominick Cardella,
18	abutting neighbor.
19	CHAIRPERSON MILLER: Right. All
20	right. Good. Okay. Your Protest Hearing is
21	scheduled for June 4, 2014 at 4:30 p.m. If
22	you don't have any specific issues to bring to

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my attention, I'm going to just give you similar instructions.

Okay. Remember that the focus of the hearing is the appropriateness of the establishment for that particular locality.

Two important forms that you make sure that you get and submit within seven days to the Board and to opposing parties are the Protest Information Form and the Exhibit Form.

If we don't receive a copy of your Protest Information Form, often referred to as the PIF, your application or your protest might be dismissed.

Similarly, if we don't receive a copy of the Exhibit Form and the exhibits themselves, the exhibits might be excluded from the record and that would be dependent upon a finding that the opposing party has been prejudiced or no good cause for the failure to admit has been shown.

Similarly, and witnesses could be subject to exclusion for the same reason.

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Both parties are to be put on notice as to what each side is going to be presenting, so everyone can be prepared and the Board can be prepared and make sure you are on focus.

So pay attention to those deadlines. Other than that, do you have any questions? Feel free to call Ms. Jenkins, our General Counsel, or Ms. Anderson. Ms.

Anderson's number is 442-6492, unless you have any questions right now, you can ask right now.

MR. CARDELLA: You say the Protest Forms will be mailed to us?

CHAIRPERSON MILLER: They should be. If you don't get them, say, you know, two weeks out or something, contact Ms. Anderson.

MR. BRAND: Mailed and not email?

CHAIRPERSON MILLER: How do the Protest Information Forms get to them?

21 Regular mail? Yes, apparently mailed. Feel

free to call Ms. Jenkins if you have any

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1	further questions about that.
2	MR. BRAND: Sure.
3	CHAIRPERSON MILLER: But be aware
4	of that seven day deadline, so call further
5	out. Okay. Great. Anything else? Okay.
6	Thank you.
7	(Whereupon, the Protest (Status)
8	Hearing in the above-entitled matter was
9	concluded at 9:55 a.m.)
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